

Personnel Management (OPM) for the purpose of evaluating the use of sick leave.

(b) Beginning with leave year 1995, each agency shall maintain the following information by leave year for each employee using sick leave for the purpose described in § 630.401(a) (3) or (4):

(1) The grade or pay level and gender of each employee;

(2) The total number of hours of sick leave used by each employee—

(i) For the purposes described in § 630.401(a) (3) or (4); and

(ii) For all other purposes described in § 630.401(a); and

(3) Any additional information OPM may require.

[59 FR 62271, Dec. 2, 1994]

**§ 630.409 Substitution of sick leave for annual leave for adoption-related purposes.**

(a) Upon the written request of an employee under the procedures set forth in paragraph (b) of this section, an individual who is employed by the Federal Government on September 30, 1994, or who is reemployed by the Federal Government on or after September 30, 1994, in a position covered by subchapter I of chapter 63 of title 5, United States Code, may elect to substitute his or her accrued and accumulated sick leave for all or any portion of any annual leave used for purposes relating to the adoption of a child between September 30, 1991, and September 30, 1994.

(b) An employee's written request under paragraph (a) of this section to substitute any accrued and accumulated sick leave for annual leave used for adoption-related purposes must be submitted to his or her employing agency by September 30, 1996. The employee's written request shall—

(1) Specify the period(s) and amount(s) of annual leave involved;

(2) Include copies of any available contemporaneous earnings and leave statement(s) or other contemporaneous documentation acceptable to the agency that specifies the period(s) and amount(s) of annual leave used by the employee for purposes relating to the adoption of a child between September 30, 1991, and September 30, 1994;

(3) Specify the amount(s) of accrued and accumulated sick leave to be substituted under paragraph (b)(1) of this section; and

(4) Include evidence of the adoption that is administratively acceptable to the employing agency.

(c) In the absence of a written request by the employee that meets the requirements of paragraph (b) of this section, no substitution of sick leave may be approved under this section.

(d) Within a reasonable period of time after receiving an employee's written request that meets the requirements set forth in paragraph (b) of this section, the employing agency shall—

(1) Deduct from the employee's sick leave account any amount(s) of accrued and accumulated sick leave the employee elects to substitute for annual leave used for adoption-related purposes between September 30, 1991, and September 30, 1994, that is supported by written documentation acceptable to the employing agency; and

(2) Credit the employee's annual leave account with an amount of annual leave equal to the amount of sick leave the employee elects to substitute under paragraphs (a) and (b) of this section.

(e) If the agency determines that insufficient written documentation exists to honor the employee's request, the employing agency shall inform the employee of this determination in writing.

(f) Any annual leave credited to an employee's current annual leave account under paragraph (d)(2) of this section shall be available for use by the employee on or after the date the annual leave is credited in the same manner and for the same purposes as the employee's current accrued and accumulated annual leave. The annual leave credited to an employee under this section may not be substituted for any period of otherwise paid leave or leave without pay used prior to the date the annual leave is credited to the employee's annual leave account under paragraph (d)(2) of this section.

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